

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MAGNIFY INC., et al.,

Defendants.

Adv. Pro. No. 10-05279 (SMB)

**STIPULATION AMENDING BRIEFING SCHEDULE ON POINT V OF DEFENDANTS’  
MOTION TO DISMISS THE TRUSTEE’S SECOND AMENDED COMPLAINT**

WHEREAS, on December 6, 2010, Irving H. Picard, the trustee (the “Trustee”) for the liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-III (“SIPA”) and the substantively consolidated chapter 7 estate of Bernard L. Madoff, filed a complaint in the above-referenced action in the United States Bankruptcy Court for the Southern District of New York, Adv. Pro. No. 10-05279 (SMB);

WHEREAS, on September 29, 2017, the Trustee filed a second amended complaint (the “Second Amended Complaint”);

WHEREAS, on October 30, 2017, the Defendants filed a motion to dismiss the Second Amended Complaint (the “Motion to Dismiss”), seeking dismissal of, among other things, claims based on transfers made prior to January 1, 2001 (“Point V of the Motion to Dismiss”);

WHEREAS, on December 13, 2017, the Defendants and Trustee filed, and the Court so-ordered, a stipulation to stay briefing and decision on Point V of the Motion to Dismiss pending the Court’s adjudication of the balance of the Motion to Dismiss (the “December 13, 2017 Order”);

WHEREAS, Paragraph 5 of the December 13, 2017 Order provides that the Trustee and Defendants shall file a stipulation setting forth a briefing schedule for Point V of the Motion to Dismiss within thirty (30) days of entry of an order on the Motion to Dismiss;

WHEREAS, on April 25, 2018, the Court entered an order denying the Motion to Dismiss;

WHEREAS, on May 22, 2018, the Court entered a stipulation and order setting forth a briefing schedule for Point V of the Motion to Dismiss (“Briefing Schedule”);

WHEREAS, Emmet, Marvin & Martin, LLP on July 23, 2018 substituted Davidoff Hutcher & Citron LLP as counsel of record for Defendants in the above-captioned proceeding; and

WHEREAS, the Parties accordingly have agreed to extend the dates set forth in the Briefing Schedule by ninety (90) days.

**NOW, IT IS HEREBY STIPULATED AND AGREED**, by the undersigned herein that:

1. The Trustee shall file his opposition to Point V of the Motion to Dismiss, if any, on or before October 25, 2018;
2. Defendants shall file their reply to the Trustee’s opposition, if any, on or before December 6, 2018; and
3. Oral argument on Point V of the Motion to Dismiss, if any, shall take place at a date and time to be determined by the Court.

Date: July 24, 2018  
New York, New York

**BAKER & HOSTETLER LLP**

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*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities  
LLC and the Estate of Bernard L. Madoff*

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*Attorneys for Defendants  
Magnify Inc., Premero Investments Ltd.,  
Strand International Investments Ltd.,  
The Yeshaya Horowitz Association, Yair  
Green, and Express Enterprises Inc.*

SO ORDERED:

Dated: **July 25, 2018**  
New York, New York

**/s/ STUART M. BERNSTEIN**  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE